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PTO/SB/O8B (10-96)

Approved for use through 10/31/99, OMB 0651-0031

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO		JAN 21 2005		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number		10/767,782	
		Filing Date		January 28, 2004	
		First Named Inventor		Yon	
		Group Art Unit		3739	
		Examiner Name		Not Yet Known	
Sheet	1	of	5	Attorney Docket Number	135001

U.S. PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publications of Cited document MM-DD-YYYY	Pages, Column, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
RDB	A1	6,194,899		Ishihara, et al.	02/27/01	
	A2	20010002442		Dobak, III	05/31/01	
	A3	20010014802		Tu	08/16/01	
	A4	6,303,156		Ferrigno	10/16/01	
	A5	20020032473		Kushnir, et al.	03/14/02	
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	A20	20030114903		Ellingboe	06/19/03	
	A21	6,231,594		Dae	05/15/01	
	A22	6,149,673		Ginsburg	11/21/00	
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	A35	6,296,654		Ward	10/02/01	
	A36	5,891,094		Masterson, et al.	04/06/99	
Y	A37	6,336,911		Westerbeck	01/08/02	

Examiner Signature	<i>Roy D. Gibson</i>	Date Considered	<i>June 10, 2005</i>
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Sheet 2 of 5	Attorney Docket Number	135001	

<i>RDA</i>	A38	5,403,281	O'Neill, et al.	04/04/95	
	A39	20030014094	Hammack, et al.	01/16/03	
	A40	20040116987	Magers, et al.	01/17/04	
	A41	20020007203	Gilmartin, et al.	01/17/02	
	A42	6,602,243	Noda	08/05/03	
	A43	20030114835	Noda	06/19/03	
	A44	20020077680	Noda	06/20/02	
	A45	6,290,717	Philips	09/18/01	
	A46	20040116988	Hammack, et al.	06/17/04	
	A47	6,702,839	Dae, et al.	03/09/04	
	A48	6,679,906	Hammack, et al.	01/20/04	
	A49	6,299,599	Pham, et al.	10/09/01	
	A50	20010029394	Dobak, III, et al.	10/11/01	
	A51	6,312,452	Dobak, III, et al.	11/06/01	
	A52	20010045104	Bailey, SR., et al.	11/29/01	
	A53	2002011657	Dae, et al.	08/15/02	
	A54	20020193854	Dobak, III, et al.	12/19/02	
	A55	20030060863	Dobak, III, et al.	03/27/03	
	A56	20030088299	Magers, et al.	05/08/03	
	A57	20040030259	Dae, et al.	02/12/04	
	A58	20040087606	Voorhees	05/06/04	
	A59	20040162520	Noda, et al.	08/19/04	
<i>✓</i>	A60	20040176672	Silver, et al.	09/09/04	

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<i>RDA</i>	B1	WO	WO 02/47742		Alsus Corporation	06/20/02	
	B2	WO	WO 00/57823		Alsus Corporation	10/05/00	
	B3	EP	EP0696176B1		Biosense Webster, Inc.	07/03/02	
	B4	EP	EP0428505B2		Gambro Lundia AB	03/14/01	
	B5	WO	WO 01/03606		Alsus Corporation	01/18/01	
	B6	WO	WO 01/10323		Radiant Medical, Inc.	02/15/01	
	B7	WO	WO 02/47742		Alsus Corporation	06/20/02	
	B8	WO	WO 03/006085		Radiant Medical, Inc.	01/23/03	
	B9	WO	WO 03/015673		Innercool Therapies, Inc.	02/27/03	
	B10	WO	WO 04/015382		Radiant Medical, Inc.	02/19/04	
<i>✓</i>	B12	WO	WO 04/075949		Innercool Therapies, Inc.	09/10/04	

Examiner Signature	<i>Roy D. Gibson</i>	Date Considered	<i>June 10, 2005</i>
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		Group Art Unit	3739		
		Examiner Name	Not Yet Known		
Sheet	3	of	5	Attorney Docket Number	135001

		OTHER PRIOR ART—NON-PATENT LITERATURE DOCUMENTS		
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ROZ	C1	Anon; "Automatic Feedback Instrumentation for Hospital Room Utilizing Microsensors"; IBM Technical Disclosure Bulletin; Vol. 29, No. 3, page 1320 (August 1986).		
	C2	Babbs, Charles F. et al.; "Theoretical Basis for Controlling Minimal Tumor Temperature During Interstitial Conductive Heat Therapy"; IEEE Transactions on Biomedical Engineering, Vo. 37, No. 7; pages 662-672 (July 1990).		
	C3	Behmann, F.W., et al.; "Heat Generation Control during Artificial Hypothermia: I: Experimental Examination of the Influence of Anesthetic Depth"; Pflügers Archiv, Bd. 266, S. 408-421 (1958) (German article with English translation).		
	C4	Behmann, F.W.; "Heat Generation Control during Artificial Hypothermia: II. Theoretical Examinations"; Pflügers Archiv, Bd. 266, S. 422-446 (1958) (German article with English translation).		
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	C6	Behmann, F.W.; "Heat Generation Control during Artificial Hypothermia, an article about the economic problem of trembling stages"; Pflügers Archive, Vol. 263, pages 166-187 (1956) (German article with English translation).		
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	C8	Benzinger, T.H.; "On Physical Heat Regulation and Sense of Temperature in Man"; Proc. N.A.S.; PHYSIOLOGY; Vol. 45; pages 645-659 (1959).		
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	C10	Bone, M.E., et al.; "Bladder Temperature as an Estimate of Body Temperature During Cardiopulmonary Bypass"; Anaesthesia; Vol. 43; pages 181-185 (1988).		
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Examiner Signature	Roy D. Gibson	Date Considered	June 19, 2005
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		Attorney Docket Number	135001
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RDY	C12	Carroll, Diane L., et al.; "A comparison of measurements from a temporal artery thermometer and a pulmonary artery thermistor—preliminary results"; available at http://pcs.mgh.harvard.edu/CCPD/Nursing_Research/Research_Abstracts_2003.asp#temporal
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	C21	Hills, Gordon A., et al.; "Apparatus For Controlling Temperature of Catheter Contents in Cold Environments"; Laboratory Animal Science; Vol. 27, No. 6; pages 1028-1030 (December 1977).
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J	C23	Jackson, Donald, et al; "Hypothermia : IV. Study of Hypothermia Induction Time with Various Pharmacological Agents (24617)"; Proc Soc Exp Biol Med.; 100(2): 332-335 (February 1959).

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RWG	C24	Kinney, Thomas B, et al.; "Optimizing Myocardial Hypothermia: I. Temperature Probe Design and Clinical Inferences"; Ann Thorac Surg; Vol. 51; pages 278-283 (1991).	
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	C28	McWilliams, Roger; "Gorman-Rupp Hypothermia Machine"; Gorman-Rupp Industries Division; Health Devices; pages 263-265 (July-August 1972).	
	C29	Moller, P. H. et al.; "Temperature Control and Light Penetration in a Feedback Interstitial Laser Thermotherapy System"; Int. J. Hyperthermia; Vol. 12, No. 1; pages 49-63 (January 1996).	
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	C31	Olshausen, K. et al.; "An Isothermal Flow Meter with Improved Frequency Response for Measuring Tissue Blood Flow"; Pflügers Archive; Vol. 367; pages 97-102 (1976).	
	C32	Shiraki, K., et al.; "Esophageal and Tympanic Temperature Responses to Core Blood Temperature Changes During Hyperthermia"; J Appl Physiol.; Vol. 61, No. 1; pages 98-102 (1986).	
✓	C33	TE Technology, Inc.; "TE technology/Temperature Controllers" (December 19, 2000) available at: http://www.tetech.com/temp/tc24-25.html	

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	B4	EP	EP0428505B2	Gambro Lundia AB	03/14/01		

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RDY	C1	Anon; "Automatic Feedback Instrumentation for Hospital Room Utilizing Microsensors"; IBM Technical Disclosure Bulletin; Vol. 29, No. 3, page 1320 (August 1986).		
	C2	Babbs, Charles F. et al.; "Theoretical Basis for Controlling Minimal Tumor Temperature During Interstitial Conductive Heat Therapy"; IEEE Transactions on Biomedical Engineering, Vo. 37, No. 7; pages 662-672 (July 1990).		
	C3	Behmann, F.W., et al.; "Heat Generation Control during Artificial Hypothermia: I: Experimental Examination of the Influence of Anesthetic Depth"; Pflügers Archiv, Bd. 266, S. 408-421 (1958) (German article with English translation).		
	C4	Behmann, F.W.; "Heat Generation Control during Artificial Hypothermia: II. Theoretical Examinations"; Pflügers Archiv, Bd. 266, S. 422-446 (1958) (German article with English translation).		
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	C8	Benzinger MD, Maria; "Tympanic thermometry in surgery and anesthesia"; JAMA; Vol. 209, No. 8; pages 1207-1211 (August 25, 1969).		

Examiner Signature	<i>Roy D. Gibson</i>	Date Considered	June 10, 2005
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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/767,782
		Filing Date	January 28, 2004
		First Named Inventor	Yon
		Group Art Unit	3739
		Examiner Name	Not Yet Known
Sheet	3	of	4
		Attorney Docket Number	135001

RWY	C9	Bone, M.E., et al.; "Bladder Temperature as an Estimate of Body Temperature During Cardiopulmonary Bypass"; Anaesthesia; Vol. 43; pages 181-185 (1988).	
	C10	Carroll, Diane L., et al.; "A comparison of measurements from a temporal artery thermometer and a pulmonary artery thermistor—preliminary results"; available at http://pcs.mgh.harvard.edu/CCPD/Nursing_Research/Research_Abstracts_2003.asp#temporal	
	C11	Dallas, W. Gordon; "Gorman-Rupp Hypothermia Machine"; Health Devices (November 1971-April 1972). <i>pgs. 190-191</i>	
	C12	DeFord, J. A. et al.; "Design and Evaluation of Closed-Loop Feedback Control of Minimum Temperatures in Human Intracranial Tumours Treated with Interstitial Hyperthermia"; Med. & Biol. Eng. & Comput.; Vol. 29; pages 197-206 (March 1991).	
	C13	Fulbrook, Paul; "Core Body Temperature Measurement: A Comparison of Axilla, Tympanic Membrane and Pulmonary Artery Blood Temperature"; Intensive and Critical Care Nursing; Vol. 13; pages 266-272 (1997).	
	C14	Gentilello MD, L.M.; "Advances in the Management of Hypothermia"; Surgical Clinics of North America; Vol. 75, No. 2; pages 243-257 (April 1995).	
	C15	Gerbrandy et al.; "Oral, Rectal, and Esophageal Temperatures in Relation to Central Temperature Control in Man"; Clin Sci (Lond); Vol. 13, No. 4: pages 615-624. (November 1954)	
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	C17	Hayes, B., et al.; "Temperature Control in Extracorporeal Circulation"; Br Med J. 1968 Aug 17;2(615):430.	
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	C20	Holzman, Steven, et al.; "The Effect of In-Line Microwave Energy on Blood: A Potential Modality for Blood Warming"; Journal of Trauma; Vol. 33, No. 1; pages 89-94 (July 1992).	

Examiner Signature	Roy D. Gibson	Date Considered	June 10, 2005
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		Examiner Name	Not Yet Known
Sheet	4	of	4
		Attorney Docket Number	135001

<i>RWJ</i>	C21	Jackson, Donald, et al; "Hypothermia : IV. Study of Hypothermia Induction Time with Various Pharmacological Agents (24617)"; Proc Soc Exp Biol Med.; 100(2): 332-335 (February 1959).	
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	C25	Matsukawa, T. et al.; "Comparison of Distal Oesophageal Temperature with "Deep" and Tracheal Temperatures"; Can J. Anaesth; Vol. 44, No. 4; pages 433-438 (1997).	
	C26	McWilliams, Roger; "Gorman-Rupp Hypothermia Machine"; Gorman-Rupp Industries Division; Health Devices; pages 263-265 (July-August 1972).	
	C27	Moller, P. H. et al.; "Temperature Control and Light Penetration in a Feedback Interstitial Laser Thermotherapy System"; Int. J. Hyperthermia; Vol. 12, No. 1; pages 49-63 (January 1996).	
	C28	Olshausen, K. et al.; "An Isothermal Flow Meter with Improved Frequency Response for Measuring Tissue Blood Flow"; Pflügers Archive; Vol. 367; pages 97-102 (1976).	
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Examiner Signature	<i>Roy D. Gibson</i>	Date Considered	<i>June 10, 2005</i>
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STATEMENT BY APPLICANT**

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Sheet 1 of 1

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U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publications of Cited document MM-DD-YYYY	Pages, Column, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
RDJ	AA	5,906,614		Stern, et al.	05-25-99	
	AB	6,149,673		Ginsburg	11-21-00	
	AC	6,231,594		Dae	05-15-01	
✓	AD	20020103519		Dobak, III, et al.	08-01-02	

Examiner
Signature

Ray D. Gibson

Date
Considered

June 10, 2005

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